

1 ADEL A. NADJI  
AUDET & PARTNERS, LLP  
2 221 Main Street, Suite 1460  
San Francisco, California 94105  
3 Telephone: 415.568.2555  
Facsimile: 415.568.2556  
4

Attorneys for Plaintiff  
5 BABAK PISHVAEE

6 UNITED STATES DISTRICT COURT  
7  
8 NORTHERN DISTRICT OF CALIFORNIA

9 BABAK PISHVAEE, individually, and on  
10 behalf of a class of similarly situated  
individuals,

11 Plaintiff,

12 v.

13 VERISIGN, INC., a California corporation,  
14 M QUBE, INC., a Delaware corporation,  
and AT&T MOBILITY LLC, formerly  
15 known as Cingular Wireless LLC, a  
Delaware corporation,

16 Defendants.  
17

Case No. C-07-3407 CW

**NOTICE OF VOLUNTARY DISMISSAL**

18  
19 The Plaintiff, by and through her undersigned counsel, hereby gives notice of voluntary  
20 dismissal of this matter pursuant to Fed. R. Civ. P. Rule 41(a)(i) as follows:

21 1 The claims asserted by the Plaintiff in this action against AT&T Mobility LLC  
22 have been settled and released by a Final Order and Judgment in the matter of *Tracie McFerren v.*  
23 *AT&T Mobility, LLC*, Fulton County Superior Court Case No. 08-CV-151322 before the Superior  
24 Court of Fulton County, Georgia. The court issued final approval of the classwide settlement on  
25 December 7, 2009.

26 2. In addition, Defendant m-Qube, Inc. and plaintiffs' counsel in a parallel national  
27 class action have entered into a nationwide settlement resolving all claims against m-Qube related  
28 to the alleged imposition of unauthorized mobile content charges on the cell phone bills of

1 wireless subscribers other than those relating to AT&T (which will be released in the *McFerren*  
2 settlement). Judge Stewart E. Palmer of the Circuit Court of Cook County, Illinois, granted  
3 preliminary approval to the class action settlement on November 3, 2009, in the case *Parone, et*  
4 *al. v. m-Qube, Inc., et al.*, No. 08 CH 15834 (Circuit Court of Cook County, Illinois). The court  
5 granted final approval to the settlement on February 24, 2010.

6 Plaintiff therefore voluntarily dismisses his claims against Defendants AT&T Mobility  
7 LLC, m-Qube, and VeriSign, Inc. *with prejudice* and with all parties to bear their own costs.

8  
9 Dated: March 31, 2010

AUDET & PARTNERS, LLP

11 By: /s/  
12 Adel A. Nadji

13 Attorneys for Plaintiff  
14 BABAK PISHVAEE

15 **ORDER**

16 Pursuant to the Federal Rule of Civil Procedure 41(a), IT IS HEREBY ORDERED:

17 That this action shall be and hereby is dismissed with prejudice as to Defendants AT&T  
18 Mobility LLC, m-Qube, and VeriSign, Inc. and with all parties are to bear their own costs.

19  
20 Dated: 04/02/2010

21   
22 CLAUDIA WILKEN  
23 United States District Judge  
24  
25  
26  
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